

RESOLUTION 01-2010

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
CARROLLTON, STATE OF GEORGIA, TO AMEND CHAPTER 98 (“VEHICLES FOR
HIRE”), ARTICLE II (“TOWING SERVICES”) OF THE CODE OF ORDINANCES,
CITY OF CARROLLTON, GEORGIA TO CHANGE CERTAIN REQUIREMENTS FOR
THE PROVISION OF WRECKER AND TOWING SERVICES WITHIN THE CITY OF
CARROLLTON**

WHEREAS, Chapter 98 (“Vehicles for Hire”), Article II (“Towing Services”) of the Code of Ordinances, City of Carrollton, Georgia governs the provision of wrecker and towing services within the City of Carrollton;

WHEREAS, the Chief of the Carrollton Police Department has recommended certain changes to the Code of Ordinances, City of Carrollton, Georgia, with respect to furnishing wrecker and towing services and the responsibilities of such businesses; and

WHEREAS, the Mayor and City Council of Carrollton find it in the public interest to amend Chapter 98 (“Vehicles for Hire”), Article II (“Towing Services”) of the Code of Ordinances, City of Carrollton, Georgia as recommended by the Chief of Police.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of Carrollton do hereby amend Chapter 98 (“Vehicles for Hire”), Article II (“Towing Services”) as reflected on Exhibit “A” attached hereto. Except as thus amended, all other provisions of Chapter 98 (“Vehicles for Hire”), Article II (“Towing Services”) remain in full force and effect.

ADOPTED this 5th day of April, 2010.

MAYOR AND CITY COUNCIL OF CARROLLTON

Mayor, City of Carrollton

Clerk, City of Carrollton

Exhibit “A”

Sec. 98-31. Conditions and prerequisite to furnishing wrecker/towing service.

(a) No person engaged in the wrecker/towing service business within the city shall be called upon by city police officers or other authorized employees of the city to furnish the service of towing any vehicle upon city streets unless the person shall have been placed on the approved scheduled rotation call list after having complied with the following conditions:

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- (7) The wrecker/towing service shall have available at least one wrecker in good operating condition. This means meeting the requirements of local rules, regulations, local ordinances, federal motor carrier regulations, state law and the state public service commission.
- (8) All wreckers shall be equipped with an amber flashing light meeting the most current regulatory requirements of the state patrol and sufficient emergency equipment (as required by 49 C.F.R. § 393.95 of the federal motor carrier regulations) so as to be able to mark the scene of a wreck on both sides of the scene so as to warn all traffic on the highway of the emergency existing while the wreckers are in operation. The wreckers shall also carry brooms, shovels, and bucket (pail), and fire extinguishers, suitable for extinguishing fires in wrecked vehicles and for cleaning up the debris and glass from the area where the wreck has occurred. The fire extinguisher shall meet the requirements of 49 C.F.R. §393.95 of the federal motor carrier regulations. All wrecker personnel must wear reflective traffic vests for their safety.
- (9) There shall be painted in a conspicuous place, on both the right and left side of the wrecker, showing the name of the company and a telephone number.

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- (11) The wrecker/towing service shall provide a storage area located within the city limits for the storage and safekeeping of vehicles towed under this article and enclosed with a solid wall or substantial fence not less than six feet in height. Said storage area shall be staffed weekly during regular business hours (i.e., Monday through Friday from 9:00 a.m. until 5:00 p.m.). The wrecker/towing service shall maintain garage liability insurance in the same amount as required in subsection (10) of this section.

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(d) If the 911 operator is unable to reach the wrecker service on call, or for any reason the wrecker service on call is unable to furnish the service, the wrecker service next on call shall be called. A wrecker/towing service shall not be able to designate its own backup service.

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(f) The police officer or other authorized officer shall make out a tow-in report, if required, which shall contain the information and details prescribed by the city.

(g) If an officer requests that a vehicle be towed to the police department, the wrecker operator shall have the shift sergeant or his designee sign the tow-in bill. At this point the shift sergeant or his designee will assume the responsibility for the vehicle, and indicate where the vehicle is to be placed.

(h) Additional wrecker/towing services meeting the requirements of this article may be added to the rotation list.

Sec. 98-32. Responsibilities of wrecker firms.

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(c) It shall be the responsibility of the wrecker service, prior to leaving the scene of any collision, to clean the scene of all debris, including all glass.

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Sec. 98-33. Established business locations.

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(b) Each service must have a separate telephone listing. This telephone number must be manned on a 24-hour-a-day basis.

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Sec. 98-36. Procedures for city police officers and employees.

A schedule shall be set up on a rotating basis of all qualified wrecker/towing services under this article, which service shall be used as hereinafter provided except in extreme emergency, where persons are trapped or pinned in or under vehicles, or in burning vehicles, or in danger of drowning by submersion, or where traffic is blocked to prevent the normal flow of vehicles, in which event, and only in which event, such police officer shall be authorized to call the nearest, most qualified service to prevent serious injury or death.